



UNITED STATES DISTRICT COURT District of Minnesota

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PUBLIC NOTICE

Date: March 27, 2007

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FEDERAL COURT PROPOSES TO AMEND LOCAL RULES

The United States District Court for the District of Minnesota recently approved two proposed amendments to the Court's Local Rules of practice for public comment. The rule changes, which will affect Local Rule ("LR") 79, and Forms 3 and 6, were recommended by the Court's Federal Practice Committee, chaired by Attorney Jeffrey Keyes. Briefly summarized, these proposed amendments will provide as follows:

(1) Amendment to LR 79.1(e) ("CUSTODY AND DISPOSITION OF RECORDS, EXHIBITS AND DOCUMENTS UNDER SEAL" – "Other Disposition by the Clerk"). LR 79.1 includes certain requirements pertaining to post-trial removal of models, diagrams, exhibits and documents that are subject to a protective or confidentiality order. LR 79.1(e) currently requires the Clerk to notify counsel of those requirements "by mail." The proposed amendment to LR 79.1(e) will delete the phrase "by mail," so that the Clerk will be able to provide the required notification by other means, including the Court's Electronic Case Filing procedures.

(2) Amendment to Form 3 and Adoption of Form 6. LR 16.2(a) requires that if a case is not settled prior to the initial pretrial conference, the parties must prepare and jointly submit a "Rule 26(f) Report," using LR Form 3, (or, in patent cases, LR Form 4). Form 3 is to be amended by adding a new Paragraph (d)(2), which suggests, (but does not mandate), the use of a standard Protective Order to govern the use and disclosure of confidential information obtained during the course of discovery. The standard Protective Order

contemplated by the new Paragraph (d)(2) of Form 3, will be an entirely new form – Form 6. The new Form 6 is a shorter version of the Form 5 Protective Order that is designed for patent cases. The new Form 6 is intended for use in cases that do not require the same protections specified in Form 5.

The full text of the proposed amendments can be obtained by accessing the District Court's website at www.mnd.uscourts.gov, or by visiting or calling the Office of the Clerk of Court in St. Paul, Minneapolis, Duluth or Fergus Falls. As required by federal statute, the proposed amendments will be posted by the Court for public review and comment through **April 27, 2007**. Comments should be provided in writing to the Clerk of Court at the address above, or by e-mail to MnFedRules@mnd.uscourts.gov. The rules will be adopted by the full Court following consideration of any comments or suggestions received by the Clerk of Court during the public notice period.

Richard D. Sletten
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District of Minnesota